

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

Pulse Network LLC §
versus § Civil Action 4:14-cv-03391
Visa Inc. §

DEFENDANT VISA'S MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM

Visa moves to dismiss Pulse's Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6) for failure to state a claim, because Pulse fails to allege antitrust injury, antitrust standing, or foreclosure of a substantial share of a relevant market.

In support of its motion, Visa submits:

1. Memorandum in Support;
 2. Appendix — Glossary of Debit Terms; and
 3. Proposed Order of Dismissal.

Dated January 23, 2015

Respectfully submitted,

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By: /s/ Lee L. Kaplan
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CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served with a copy of (1) Defendant Visa's Motion to Dismiss for Failure to State a Claim, (2) Memorandum in Support, (3) Appendix — Glossary of Debit Terms, and (4) Proposed Order of Dismissal via the Court's CM/ECF system per Local Rule 5.1 on the 23rd day of January, 2015.

/s/ *Lee L. Kaplan*
Lee L. Kaplan